

# **EXHIBIT B**

**From:** [Cross, David D.](#)  
**To:** [Josh Belinfante](#)  
**Cc:** [Vincent Russo](#); [Bruce Brown](#); [Carey Miller](#); [Kim Bunch](#); [Adam Sparks](#); [Alexander Denton](#); [Miriyalu, Arvind S.](#); [Brian Lake](#); [Bryan Jacoutot](#); [Bryan Tyson](#); [Cary Icter](#); [Cheryl Ringer](#); [Conaway, Jenna B.](#); [David Brody](#); [David Lowman](#); [Halsey Knapp, Jr.](#); [Bentrott, Jane P.](#); [John Powers](#); [Kaye Burwell](#); [Kimberly Anderson](#); [Retha Meier](#); [Manoso, Robert W.](#); [Robert McGuire III](#) (ram@lawram.com); [Tepfer, Cameron A.](#); [Brimer, Marcie](#)  
**Subject:** RE: Discovery  
**Date:** Wednesday, July 31, 2019 9:04:38 AM

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You've said the same thing about every discovery dispute I've presented to the judge and I've won every single one — because I actually try to be reasonable and pick my battles instead of burdening her with needless disputes and misstatements. In fact, only one of us has been found to have made misleading statements to the Court. So at this point, I'll trust my own judgment over yours. But thanks for jumping in with your predictable interjection, Josh. Good luck convincing the judge we amended our prior requests and have to serve new requests for this discovery.

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**From:** Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>  
**Date:** Wednesday, Jul 31, 2019, 8:50 AM  
**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>  
**Cc:** Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Kim Bunch <[Kim.Bunch@robbinsfirm.com](mailto:Kim.Bunch@robbinsfirm.com)>, Adam Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Miriyala, Arvind S. <[AMiriyalu@mofo.com](mailto:AMiriyalu@mofo.com)>, Brian Lake <[Brian.Lake@robbinsfirm.com](mailto:Brian.Lake@robbinsfirm.com)>, Bryan Jacoutot <[bjacoutot@taylorenGLISH.com](mailto:bjacoutot@taylorenGLISH.com)>, Bryan Tyson <[btyson@taylorenGLISH.com](mailto:btyson@taylorenGLISH.com)>, Cary Icter <[cichter@ichterdavis.com](mailto:cichter@ichterdavis.com)>, Cheryl Ringer <[Cheryl.ringer@fultoncountyga.gov](mailto:Cheryl.ringer@fultoncountyga.gov)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, David Brody <[dbrody@lawyerscommittee.org](mailto:dbrody@lawyerscommittee.org)>, David Lowman <[David.lowman@fultoncountyga.gov](mailto:David.lowman@fultoncountyga.gov)>, Halsey Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Bentrott, Jane P. <[JBentrott@mofo.com](mailto:JBentrott@mofo.com)>, John Powers <[jpowers@lawyerscommittee.org](mailto:jpowers@lawyerscommittee.org)>, Kaye Burwell <[Kaye.burwell@fultoncountyga.gov](mailto:Kaye.burwell@fultoncountyga.gov)>, Kimberly Anderson <[Kimberly.Anderson@robbinsfirm.com](mailto:Kimberly.Anderson@robbinsfirm.com)>, Retha Meier <[Retha.Meier@robbinsfirm.com](mailto:Retha.Meier@robbinsfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Robert McGuire III (ram@lawram.com) <[ram@lawram.com](mailto:ram@lawram.com)>, Tepfer, Cameron A. <[CTepfer@mofo.com](mailto:CTepfer@mofo.com)>, Brimer, Marcie <[MBrimer@mofo.com](mailto:MBrimer@mofo.com)>  
**Subject:** Re: Discovery

David:

Unproductive and wrong. Enjoy your day.

JB

Sent from my iPhone

On Jul 31, 2019, at 8:47 AM, Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)> wrote:

Vincent -

Do you even realize when you misrepresent facts or does it come so naturally that you actually believe your own claims? I genuinely wonder about this and I really wish you'd stop.

We never "narrowed" or "amended" any discovery requests regarding this issue. We merely tabled this issue to resolve the specific issue of the GEMS databases. You know that full well, as does the Court. No new discovery requests are needed, and we waived no rights. In fact, the judge mentioned the GEMS server examination in her own comments at the conclusion of the hearing last week and noted that my complaints about the way you handled that issue were warranted.

I take your message to mean your position is unchanged on this critical discovery. We'll raise it with the Court.

Thanks.

DC

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**From:** Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>

**Date:** Wednesday, Jul 31, 2019, 8:36 AM

**To:** Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>, Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>, Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>, Kim Bunch <[Kim.Bunch@robbinsfirm.com](mailto:Kim.Bunch@robbinsfirm.com)>, Adam Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>, Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>, Miriyala, Arvind S. <[AMiriyalala@mofo.com](mailto:AMiriyalala@mofo.com)>, Brian Lake <[Brian.Lake@robbinsfirm.com](mailto:Brian.Lake@robbinsfirm.com)>, Bryan Jacoutot <[bjacoutot@taylorenGLISH.com](mailto:bjacoutot@taylorenGLISH.com)>, Bryan Tyson <[btyslon@taylorenGLISH.com](mailto:btyslon@taylorenGLISH.com)>, Cary Icter <[cichter@ichterdavis.com](mailto:cichter@ichterdavis.com)>, Cheryl Ringer <[Cheryl.ringer@fultoncountyga.gov](mailto:Cheryl.ringer@fultoncountyga.gov)>, Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>, David Brody <[dbrody@lawyerscommittee.org](mailto:dbrody@lawyerscommittee.org)>, David Lowman <[David.lowman@fultoncountyga.gov](mailto:David.lowman@fultoncountyga.gov)>, Halsey Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>, Bentrott, Jane P. <[JBentrott@mofo.com](mailto:JBentrott@mofo.com)>, John Powers <[jpowers@lawyerscommittee.org](mailto:jpowers@lawyerscommittee.org)>, Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>, Kaye Burwell <[Kaye.burwell@fultoncountyga.gov](mailto:Kaye.burwell@fultoncountyga.gov)>, Kimberly Anderson <[Kimberly.Anderson@robbinsfirm.com](mailto:Kimberly.Anderson@robbinsfirm.com)>, Retha Meier <[Retha.Meier@robbinsfirm.com](mailto:Retha.Meier@robbinsfirm.com)>, Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>, Robert McGuire III ([ram@lawram.com](mailto:ram@lawram.com)) <[ram@lawram.com](mailto:ram@lawram.com)>, Tepfer, Cameron A. <[CTepfer@mofo.com](mailto:CTepfer@mofo.com)>, Brimer, Marcie <[MBrimmer@mofo.com](mailto:MBrimmer@mofo.com)>

**Subject:** RE: Discovery

**- External Email -**

David –

State Defendants previously objected to the Curling Plaintiffs' extremely broad discovery request to inspect all "Election System" data, files, software, and firmware. Weeks ago, Curling Plaintiffs narrowed their document request to the GEMS Database to be consistent with the Coalition Plaintiffs' request. Curling Plaintiffs have not served any new discovery requests for the information you now demand. There is no basis for demanding production of the server or any other component of the election system by 3pm today, but we can go through the normal discovery process to address this renewed request. Are the Curling Plaintiffs planning to renew any other discovery requests that were previously amended?

Thanks,

Vincent

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**From:** Cross, David D. [<mailto:DCross@mofo.com>]

**Sent:** Tuesday, July 30, 2019 8:06 PM

**To:** Vincent Russo <[vrusso@robbinsfirm.com](mailto:vrusso@robbinsfirm.com)>; Bruce Brown <[bbrown@brucebrownlaw.com](mailto:bbrown@brucebrownlaw.com)>; Carey Miller <[carey.miller@robbinsfirm.com](mailto:carey.miller@robbinsfirm.com)>; Kim Bunch <[Kim.Bunch@robbinsfirm.com](mailto:Kim.Bunch@robbinsfirm.com)>; Adam Sparks <[sparks@khlawfirm.com](mailto:sparks@khlawfirm.com)>; Alexander Denton <[Alexander.Denton@robbinsfirm.com](mailto:Alexander.Denton@robbinsfirm.com)>; Miriyala, Arvind S. <[AMiriyalala@mofo.com](mailto:AMiriyalala@mofo.com)>; Brian Lake <[Brian.Lake@robbinsfirm.com](mailto:Brian.Lake@robbinsfirm.com)>; Bryan Jacoutot <[bjacoutot@taylorenGLISH.com](mailto:bjacoutot@taylorenGLISH.com)>; Bryan Tyson <[btyslon@taylorenGLISH.com](mailto:btyslon@taylorenGLISH.com)>; Cary Icter <[cichter@ichterdavis.com](mailto:cichter@ichterdavis.com)>; Cheryl Ringer <[Cheryl.ringer@fultoncountyga.gov](mailto:Cheryl.ringer@fultoncountyga.gov)>; Conaway, Jenna B. <[JConaway@mofo.com](mailto:JConaway@mofo.com)>; David Brody <[dbrody@lawyerscommittee.org](mailto:dbrody@lawyerscommittee.org)>; David Lowman <[David.lowman@fultoncountyga.gov](mailto:David.lowman@fultoncountyga.gov)>; Halsey Knapp, Jr. <[hknapp@khlawfirm.com](mailto:hknapp@khlawfirm.com)>; Bentrott, Jane P. <[JBentrott@mofo.com](mailto:JBentrott@mofo.com)>; John Powers <[jpowers@lawyerscommittee.org](mailto:jpowers@lawyerscommittee.org)>; Josh Belinfante <[Josh.Belinfante@robbinsfirm.com](mailto:Josh.Belinfante@robbinsfirm.com)>; Kaye Burwell <[Kaye.burwell@fultoncountyga.gov](mailto:Kaye.burwell@fultoncountyga.gov)>; Kimberly Anderson <[Kimberly.Anderson@robbinsfirm.com](mailto:Kimberly.Anderson@robbinsfirm.com)>; Retha Meier <[Retha.Meier@robbinsfirm.com](mailto:Retha.Meier@robbinsfirm.com)>; Manoso, Robert W. <[RManoso@mofo.com](mailto:RManoso@mofo.com)>; Robert McGuire III ([ram@lawram.com](mailto:ram@lawram.com)) <[ram@lawram.com](mailto:ram@lawram.com)>; Tepfer, Cameron A. <[CTepfer@mofo.com](mailto:CTepfer@mofo.com)>; Brimer, Marcie <[MBrimmer@mofo.com](mailto:MBrimmer@mofo.com)>

**Subject:** Discovery

Vincent and Kaye -

It's time for Dr. Halderman to examine the GEMS servers and appropriate samples of DREs, memory cards, AccuVote scanners, and Express Poll books (samples need to be of our choosing). Please confirm by 3 pm ET tomorrow whether and when you will make the equipment available for forensic examination and copying (he will need to conduct some analysis at his lab in MI). If you decline, we'll need to raise this with the Court right away.

Thanks.

DC

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